

DEP & REF



2007 OCT 10 AM 4:50

PATENT
8964-000004/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Huai-Jen TSAI

Application No.: 10/632,794 Group: 1632

Filing Date: July 8, 2005 Examiner: Valarie Bertoglio

For: NOVEL TRANSGENIC ZEBRAFISH, GENE FRAGMENTS AND
METHODS FOR PRODUCING TRANSGENIC ZEBRAFISH

ATTENTION: Refund Section
Accounting Division
OFFICE OF FINANCE

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

October 9, 2007

REQUEST FOR A REFUND

Sir:

Pursuant to 37 C.F.R. § 1.28(a), Applicants hereby request a refund of 50% of the Notice of Appeal and Petition for Extension of Time fees paid on September 24, 2007. The present application qualifies for small entity status which is entitled to the reduced fees.

Accordingly, as the extension of time fees were paid by check on September 24, 2007 in the amount of \$1520.00 (large entity), it is respectfully requested that the excess fee of \$760.00 be credited to Deposit Account No. 08-0750.

Favorable action on the present Request is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

By:

John A. Castellano
Reg. No. 35,094

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

JAC/pw



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JG

MAIL STOP AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1632

PATENT
8964-000004/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT(S): Huai-Jen TSAI CONF. NO.: 5554
APPL. NO.: 10/632,794 ART UNIT: 1632
FILED: August 4, 2003 EXAMINER(S): Valarie E. Bertoglio
ENTITLED: NOVEL TRANSGENIC ZEBRAFISH, GENE FRAGMENTS
AND METHODS FOR PRODUCING TRANSGENIC
ZEBRAFISH

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop **AF**

September 24, 2007

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated March 23, 2007 of the Primary Examiner finally rejecting claims 1-5, 7, 8 and 10-12.

- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- The enclosed document is concurrently filed with a Pre-Appeal Brief Request for Review.

Applicants hereby petition for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

Adjustment date: 10/23/2007 SDIRETA1
09/25/2007 MBELETE1 00000142 10632794
01 FC:1401 -500.00 OP

09/25/2007 MBELETE1 00000142 10632794
01 FC:1401 500.00 OP

10/23/2007 SDIRETA1 00000001 10632794
01 FC:2401 250.00 OP

Ref#: 10/23/2007 SDIRETA1 0012531000
Name/Number: 10632794 \$760.00 CR
Date: 09/25/2007
FC: 9204

- NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$1,020.00 is required for the full period of the above-requested extension of time.
- An extension of _____ month(s) for responding to the Final Rejection was previously requested and paid for on . Thus a fee of \$ is required .
- Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- Large entity - \$500.00
- Small Entity - \$250.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,520.00.

Payment of the above TOTAL FEE is being made in the following manner:

- Check in the amount of \$.00 is enclosed.
- Please charge Deposit Account No. 08-0750 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

John A. Castellano, Reg. No. 35,094

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(703) 668-8000

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M/S AMENDMENT
Attorney Docket No. 8964-000004/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT(S): Huai-Jen TSAI CONF. NO.: 5554
APPL. NO.: 10/632,794 ART UNIT: 1632
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ZEBRAFISH

RESPONSE UNDER 37 C.F.R. § 1.116

September 24, 2007

Mail Stop A/F
Commissioner for Patents
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Office Action dated March 23, 2007, ("Action") for the above-identified patent application, the deadline for response having been extended by three (3) months to September 23, 2007, please amend the claims as indicated and consider the remarks below.

The sections included in this response are as follows:

Amendments to the Specification begin on page 2 of this paper;

Amendments to the Claims begin on page 3 of this paper; and

A Remarks section begins on page 5 of this paper.

	Independent Claims	Total Claims
Claims Previously Paid For	3	20
Claims After Amendment	2	3
Excess Claims	0	0

Adjustment date: 10/23/2007 SDIRETA1
09/25/2007 MBELETE1 00000142 10632794
02 FC:1253 -1020.00 OP

09/25/2007 MBELETE1 00000142 10632794
02 FC:1253

1020.00 OP

10/23/2007 SDIRETA1 00000001 10632794
02 FC:2253 -11:51:51 510.00 OP